

MINUTES
FORD CITY BOROUGH COUNCIL
REGULAR MEETING
Location: LATIN AMERICAN CLUB
DECEMBER 14, 2015

CALL TO ORDER

Council President Bartuccio called the meeting to order at 6:12 p.m. and advised the audience that the meeting for Monday, December 14, 2015 will be audio taped by Ford City Borough and Lisa Bittner. It will be audio taped by Jonathan Weaver – Kittanning Paper too.

PLEDGE OF ALLEGIANCE

Council President Bartuccio lead everyone in reciting the Pledge of Allegiance.

ROLL CALL

Gene Banks, Kathy Bartuccio, Beth Bowser, Jerry Miklos, Vicki Schaub, and Mayor Mantini were present. [The vacancy caused by the resignation of Josh Abernathy has not been filled.]

ATTENDANCE

Solicitor Tony Vigilante, Borough Manager Eden Ratliff, Borough Secretary Lisa Bittner, Doug Siler – Gibson-Thomas, and Interim Police Chief Freel were also in attendance.

AGENDA CHANGE

Borough Manager explained there is a change to agenda with regard to the Civil Service Commission Appointment motions. Three separate motions are listed on the agenda. It was advised a Resolution should be adopted.

Mayor asked why is this being done with a “lame duck” Council?

Solicitor Vigilante explained he has repeatedly advised the Borough Manager and emailed Council, explaining what can and cannot be done when you are “lame duck”. Repeatedly stated Council shouldn’t take action on Governmental Functions, Ordinances. Some of the actions listed on the agenda tonight, I don’t think are proper. That’s probably why I wasn’t asked to prepare them. Appointing somebody to a Board, that is probably adequate. I did explain this to Eden, the Civil Service Commission is permitted to have one (1) board member. My concern if she is appointed now, then she has the Council seat. That should be filled by a Council person. Once she is off Council that position should be open and filled by someone else. That was my recommendation.

Miklos stated other attorneys were consulted.

Schaub stated there was no charge to the Tax Payers.

Schaub made a motion to make the editorial change to agenda striking the three (3) motions for the Civil Service Commission and replace it with the Resolution. Seconded by Miklos.
Motion Carried. 3-2 Banks & Bowser are opposed.

FEMA PRESENTATION - Doug Siler, Gibson Thomas Engineering

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Mr. Siler worked from a prepared presentation. (Attachment) Siler explained there were changes made FEMA to the Flood Insurance Rate Maps. This is a modernization process to all of Armstrong County. This is statewide too. The current map is dated 1987. The new maps will become effective 2-17-2016. A larger portion of the Borough will be in Zone AE the 100 year flood elevations [plain]. FEMA no longer acknowledges the high ground built up by PPG & the Railroad as protecting the town. FEMA does not recognize the Borough Levy's as being certified. If property is insured through a Federally Insured bank [FDIC], flood insurance will now be required. The Borough is required to follow Flood Plain Management. Siler explained if flood insurance is purchased prior to 2-17-2016, reduced premiums are available. This is the "FEMA grandfathering rule". This allows persons who purchase flood insurance in advance of changes in flood maps, the flood insurance rates are based on the current maps. The "grandfathering" is transferable. If the property is sold, it lower premium [based on the old map] can transfer to the new property owner. The coverage must be continuous and not lapse. Use www.floodsmart.gov for additional detail.

CITIZEN COMMENT

At this time, citizens may address Council on any issue appearing on today's agenda. Only residents and taxpayers of the Borough of Ford City will be permitted to address Council. Comments on non-agenda items will be taken at the end of tonight's meeting. Speakers will be permitted to speak for a maximum of 5 minutes. Groups of people will be required to designate a spokesperson to represent them before Council who may speak for a maximum of 10 minutes. Citizens are asked to clearly state and spell their name and provide their address for the record and keep comments brief and to the point.

COUNCIL COMMENTS

At this time, Council is able to comment and ask questions of Mr. Siler relative to the FEMA maps.

EXECUTIVE SESSION

Council President Bartuccio stated there was an executive session held at the Borough Office on December 1, 2015 to discuss matters of litigation.

Council President Bartuccio stated there was an executive session held at the Ford City Library on December 14, 2015 to discuss matters of personnel and potential litigation.

CITIZENS COMMENTS

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REPORTS

MINUTES

Miklos made a motion to approve draft #2 of the May 23, 2012 meeting minutes. Seconded by Schaub. Motion Carried. 4-1 Banks is opposed.

Miklos made a motion to approve draft #2 of the October 8, 2012 meeting minutes. Seconded by Schaub. Motion Carried. 4-1 Banks is opposed.

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Miklos made a motion to approve draft #2 of the September 9, 2013 meeting minutes. Seconded by Schaub.
Motion Carried. 4-1 Banks is opposed.

Miklos made a motion to approve draft#2 of the October 14, 2013 meeting minutes. Seconded by Schaub.
Motion Carried. 4-1 Banks is opposed.

Miklos made a motion to approve draft #2 of the January 6, 2014 meeting minutes. Seconded by Schaub.
Motion Carried. 4-1 Banks is opposed.

Miklos made a motion to approve draft #3 of the January 13, 2014 meeting minutes. Seconded by Schaub.
Motion Carried. 4-1 Banks is opposed.

Miklos made a motion to approve draft #2 of the July 21, 2014 meeting minutes. Seconded by Schaub.
Motion Carried. 4-1 Banks is opposed.

Miklos made a motion to approve draft #3 of the November 17, 2014 meeting minutes. Seconded by Schaub.
Motion Carried. 4-1 Banks is opposed.

Miklos made a motion to approve draft #2 of the November 26, 2014 meeting minutes. Seconded by Schaub.
Motion Carried. 4-1 Banks is opposed.

Miklos made a motion to approve draft #2 of the December 22, 2014 meeting minutes. Seconded by Schaub.
Motion Carried. 4-1 Banks is opposed.

Miklos made a motion to approve draft #2 of the January 12, 2015 meeting minutes. Seconded by Schaub.
Motion Carried. 4-1 Banks is opposed.

Miklos made a motion to approve draft #2 of the May 11, 2015 meeting minutes. Seconded by Schaub.
Motion Carried. 4-1 Banks is opposed.

Miklos made a motion to approve draft #2 of the August 1, 2015 meeting minutes. Seconded by Schaub.
Motion Carried. 4-1 Banks is opposed.

Miklos made a motion to approve draft #2 of the October 12, 2015 meeting minutes. Seconded by Schaub.
Motion Carried. 4-1 Banks is opposed.

Bowser explains the motion to approve the 11-17-2014 minutes was for draft #2 and it should have been draft #3.

Miklos made a motion to rescind draft #2 of the 11-17-2014 meeting minutes. Seconded by Schaub.
Motion Carried. 5-0 Unanimous

Miklos made a motion to approve draft #3 of the November 17, 2014 meeting minutes. Seconded by Schaub.
Motion Carried. 4-1 Banks is opposed.

POLICE CHIEF REPORT

Miklos made a motion to accept the Police Reports for November 2015. Seconded by Banks. (Attachment)
Motion Carried. 5-0 Unanimous

WATER COMMITTEE

Miklos made a motion to approve the Water Reports from CWM for November 2015, samples were taken on 11-2-2015, 11-9-2015, 11-16-2015, & 11-23-2015, all samples passed the Pennsylvania Dept. of Environmental Protection standards for Safe Drinking Water for total Coliform and E. Coli, reports are available in the Borough Office. Seconded by Schaub. (Attachments)
Motion Carried. 5-0 Unanimous

FINANCE COMMITTEE

Schaub made a motion to approve paying the bills in the amount of \$50,118.89 as approved by the Finance Committee. Seconded by Miklos. (Attachment)

Miklos asked if the price on the Morton Salt [\$69.74 per ton] invoice is for the lower negotiated rate? Borough Manager answers yes. Motion Carried. 5-0 Unanimous

Schaub made a motion to ratify payment of the regular recurring insurance and utility bills in the amount of \$17,522.26 as approved by the Borough Manager. Seconded by Miklos. (Attachment)
Motion Carried. 5-0 Unanimous

Miklos made a motion to accept the Treasurer's Report for October 2015. Seconded by Schaub.
Motion Carried. 5-0 Unanimous (Attachment)

Miklos made a motion to accept the Treasurer's Report for November 2015. Seconded by Schaub.
Motion Carried. 5-0 Unanimous (Attachment)

ENGINEER REPORT

Miklos said, "This report is from Gibson-Thomas relative to the Water Plant. Very short, sweet. Water Plant report is still on schedule, no issues no problems. We are looking to receive information regarding the \$750,000 grant near the end of January. Still in very good shape with the Pennvest Funding."

BOROUGH MANAGER REPORT

Bowser made a motion to approve the Borough Manager Report for November 2015. Seconded by Banks.
Motion Carried. 5-0 Unanimous (Attachment)

OLD BUSINESS

ANIMAL ORDINANCE

Schaub made a motion to adopt and authorize the Council President to sign the proposed animal ordinance. Seconded by Miklos.

BURNING ORDINANCE

Schaub made a motion to adopt and authorize the Council President to sign the proposed burning ordinance.

NUISANCE ORDINANCE

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Schaub made a motion to adopt and authorize the Council President to sign the proposed nuisance ordinance.

CIVIL SERVICE COMMISSION

Miklos makes a motion to adopt this Resolution. Seconded by Schaub. (Attachment)

Motion Carried. 3-2 Banks & Bowser are opposed.

VACANCY BOARD

Schaub made a motion to appoint Anita Bowser to the position of Vacancy Chair with a term ending 12-31-15. Seconded by Miklos. Motion Carried. 3-2 Banks & Bowser are opposed.

2016 BUDGET

Miklos made a motion to adopt the 2016 budget as presented. Seconded by Schaub.

Motion Carried. 4-1 Banks is opposed.

TAX ORDINANCE

Miklos made a motion to adopt the 2016 tax ordinance with a millage rate of 15.80 mills which is a decrease of 1.6 mills. Seconded by Schaub.

Banks		Nay
Bartuccio	Yea	
Miklos	Yea	
Bowser		Nay
Schaub	Yea	

Motion Carried. 3-2 Banks & Bowser are opposed.

CHEMICAL BIDS

Miklos made a motion, based on the recommendation of Gibson-Thomas Engineering Co., Inc., to accept the low bid from Barber's Chemical for Sulfuric Acid 66% in the amount of \$0.3180 / LB. (Attachment)
Seconded by Banks. Motion Carried. 5-0 Unanimous

Miklos made a motion, based on the recommendation of Gibson-Thomas Engineering Co., Inc., to accept the low bid from Mercer Lime Co. for High Calcium Hydrated Lime in the amount of \$155.00 / TON.
Seconded by Banks. Motion Carried. 5-0 Unanimous (Attachment)

Miklos made a motion, based on the recommendation of Gibson-Thomas Engineering Co., Inc., to accept the low bid from UNIVAR for Caustic Soda 50% in the amount of \$559.00 / TON and Chlorine Gas in the amount of \$0.425 /LB. Seconded by Banks. Motion Carried. 5-0 Unanimous (Attachment)

Miklos made a motion, based on the recommendation of Gibson-Thomas Engineering Co., Inc., to accept the low bid from Sal Chemical for Hydro-Fluorosilicic Acid 23% in the amount of \$0.337 / LB and Sodium Silicate Grade 40 in the amount of \$0.428/LB. (Attachment)
Seconded by Banks. Motion Carried. 5-0 Unanimous

NEW BUSINESS

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RETIREE HEALTHCARE

Miklos made a motion to authorize the Council President to sign the Health America enrollment form enrolling the retirees in the Advantra HMO Gold plan per the recommendation of Davevic Benefits. Seconded by Banks. Motion Carried. 5-0 Unanimous

ACTIVE EMPLOYEES HEALTHCARE

Miklos made a motion to authorize the Council President to sign the enrollment form enrolling the non-uniform active employees in the UPMC PPO 1000 plan at the cost of \$91,874.40 as recommended by Davevic benefits. Seconded by Banks. Motion Carried. 5-0 Unanimous

BUSINESS LICENSE ORDINANCE

Banks made a motion to authorize Alyssa Golfieri of Babst and Calland to prepare and advertise and ordinance repealing the business license ordinance effective January 1, 2016. Seconded by Bowser. Motion Carried. 5-0 Unanimous

EXPLORATION OF LEGAL ACTION AGAINST FORMER ENGINEER

Miklos made a motion to authorize Babst, Calland, Clements and Zomnir, P.C., the Borough's current counsel for police labor matters, to explore legal action against former Borough Engineer, Garvin Engineering & Municipal Management PC.

Motion dies for lack of a second.

PENNDOT MULTIMODAL TRANSPORTATION FUND

Banks made a motion to authorize the Council President to sign the resolution authorizing Gibson Thomas Engineering to prepare and submit a grant application to the Penndot Multimodal Transportation Fund for the Handicap Ramp Project in the amount of \$339,850. (Attachment) Seconded by Schaub. Motion Carried. 5-0 Unanimous

SPECIAL COUNCIL MEETING

Banks made a motion to advertise for a Special Council Meeting to be held on Wednesday December 30, 2015 at 6:00 p.m. in the Ford City Public Library. Seconded by Schaub. Motion Carried. 3-2 Banks & Bowser opposed.

Roll Call vote was taken too.

Banks		Nay
Miklos	Yea	
Schaub	Yea	
Bartuccio	Yea	
Bowser		Nay

CITIZENS COMMENTS

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name and provide their address for the record and keep comments brief and to the point.

Tyson Klukan asked about the Treasurer's Report for November 2015. The balance in the EIP [Early Intervention Program] account is \$39,216.64. Klukan asked what is the status on the EIP? There was supposed to be a meeting. Who do they report to this Council or next Council? What is the contract end date? Borough Manager stated the current status is unclear with the Civic Research Alliance - CRA. [Vendor chosen by Ford City Borough to complete the analysis requirements of the DCED - Early Intervention Program.] CRA has been paid some money, none of it was from Borough funds. The contract ends on 6-30-2016. It is believed DCED will assist Ford City Borough in finding another firm to complete the analysis.

Klukan a balance of \$16,625 in the DCNR Trail account. Is that the 14th Street Project and is there a time line? Will it be pavement or crushed lime? Borough Manager stated grading must be done and looking to complete in the Spring. Borough Manager does not know if the trail project is pavement or crushed lime.

Stacy Klukan asked if it is ok for Council members to vote on meeting minutes when they were not on Council at the time of the meeting? Solicitor Vigilante stated this is unusual doing a lot from some time ago. Vigilante stated it is proper. Vigilante stated the minutes from this meeting will be approved by the next Council. Vigilante stated on the Final Draft is open to the public.

Klukan explained there is someone in the community helping the animals, Allyssa Burk. Why when we have an animal advocate would you make such a strong ordinance? Klukan stated they would like to get some trees cut down in the park at the beginning of the year. Councilman Miklos asked if the request made by Mrs. Gergy to plant a tree granted? Klukan stated she has been in contact with Mrs. Gergy. Miklos asked how did it happen the Rudosky tree was approved?

SOLICITOR COMMENTS

Solicitor Vigilante suggested Council try to follow the agenda and to keep procedure as best we can.

BOROUGH MANAGER COMMENTS

Borough Manager made comments that required no action.

MAYOR COMMENTS

Mayor made comments that required no action.

COUNCIL COMMENTS

Banks had no comments at this time.

Miklos made comments that required no action. Miklos read from a prepared statement dated 11-9-2015.

Bowser, Schaub, and Bartuccio all made comments that required no action.

ADJOURNMENT

Schaub made a motion at 9:30 p.m. to adjourn the meeting. Seconded by Banks.
Motion Carried. 5-0 Unanimous

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Kathy Bartuccio
Council President

Lisa Bittner
Borough Secretary